

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PARNELL COLVIN, et al.,

Plaintiff(s),

V.

TOMMY WHITE, et al.,

Defendant(s).

Case No. 2:21-cv-02109-RFB-NJK

Order

[Docket Nos. 18, 19]

Pending before the Court are Defendants' motions to seal and to strike. Docket Nos. 18, 19, and 20. Plaintiffs did not file a response. The motions are properly resolved without a hearing. *See* Rule 78-1. For the reasons discussed more fully below, the motion to seal (Docket No. 18) is **DENIED** and the motion to strike (Docket No. 19) is **DENIED**. The Clerk's Office is **STRUCTED** to seal Docket No. 16.

I. MOTION TO SEAL

Parties are prohibited from filing personal identifying information on the public docket.

E.g., Fed. R. Civ. P. 5.2(a). Parties must instead redact such information from their filings. *E.g.*, Local Rule IC 6-1(c) (“The responsibility for redacting these personal identifiers rests solely with attorneys and the parties”). As Defendants correctly note, Plaintiffs filed a document (Docket No. 16) that includes several personal identifiers, including full social security number, birth date, and address. Accordingly, the motion to seal will be granted.

The Court also **CAUTIONS** Plaintiffs that they are required to comply with the redaction rules, and all other rules governing this case. **Failure to do so in the future may result in the imposition of sanctions.**

II. MOTION TO STRIKE

District courts have authority to strike an improper filing under their inherent power to control the docket. *E.g., Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010);

1 *Metzger v. Hussman*, 682 F. Supp. 1109, 1110-11 (D. Nev. 1988). “Striking material under the
 2 Court’s inherent power is wholly discretionary.” *Fed. Nat’l Mortg. Assoc. v. Willis*, 2016 WL
 3 11247554, at *1 (D. Nev. Oct. 14, 2016). In deciding whether to exercise that discretion, courts
 4 consider whether striking the filing would “further the overall resolution of the action,” and
 5 whether the filer has a history of excessive and repetitive filing that have complicated
 6 proceedings. *Jones v. Skolnik*, 2015 WL 685228, at *2 (D. Nev. Feb. 18, 2015). Courts have
 7 expressed reluctance at striking filings without some showing of prejudice to the moving party.
 8 See, e.g., *Mitchell v. Nev. Dept. Of Corr.*, 2017 U.S. Dist. Lexis 174002, at *1 (D. Nev. Oct. 20,
 9 2017). “Especially with respect to filings of *pro se* litigants who may be unfamiliar with the
 10 technical aspects of the applicable rules, it is not a useful expenditure of resources to entertain
 11 motions to strike without any showing of prejudice.” *Zeddies v. Clark Cnty. Sch. Dist.*, 2021 WL
 12 2583545, at *2 (D. Nev. June 23, 2021).

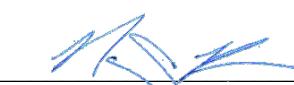
13 The motion to strike makes no showing of prejudice arising from the subject document not
 14 being stricken from the docket.¹ Accordingly, the Court will deny the motion to strike.

15 **III. CONCLUSION**

16 For the reasons discussed more fully above, the motion to seal (Docket No. 18) is
 17 **GRANTED** and the motion to strike (Docket No. 19) is **DENIED**. The Clerk’s Office is
 18 **INSTRUCTED** to seal Docket No. 16.

19 IT IS SO ORDERED.

20 Dated: September 19, 2022

21 
 22 Nancy J. Koppe
 23 United States Magistrate Judge

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 26
 27 ¹ As discussed above, the subject document contains personal identifying information, but
 28 the Court has addressed any prejudice stemming from the filing of such information by sealing the
 document.